

REMARKS/ARGUMENTS

Status of the Application

Before the filing of this amendment, claims 1-97 were pending in the application. While the office action rejected claims 1-96, the Applicants note with appreciation that office action allowed claim 97.

Claims 1-11, 16-30, 35-39, 45-54, 58, 59, 62-68, 73-77, 83-91 and 94-96 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,745,021 to Stevens ("Stevens") in view of U.S. Patent No. 6,134,320 to Swan et al. ("Swan").

Claims 12-15, 40-44, 55-57, 78-82, 92, 93 and 97 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Swan, and further in view of U.S. Patent App. Pub. No. 2003/0069002 to Hunter et al. ("Hunter").

Claims 31-34 and 69-72 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Swan, and further in view of U.S. Patent No. 6,463,273 to Day ("Day").

Claims 60 and 61 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Swan, and further in view of U.S. Patent App. Pub. No. 2002/0122136 to Safadi et al. ("Safadi").

Applicants have amended claims 1, 47, 54, 55, 64, 83 and 97. Applicants have canceled claims 53 and 90.

Amendments

Independent claims 1, 47 and 83 have been amended to include limitations of claim 97 which the Office Action stated were not taught or suggested by the prior art of record. Independent claims 1, 47 and 93 have also been amended to correct a typographical omission in the first clause after the preamble of each claim.

Claim 97 has been amended to correct an informality, specifically an antecedent basis problem. Previously claim 97 included the limitation of instructions executable to:

“*determine*, based on the alert information, a set of one or more distribution addresses to which the alert applies; and using the means for transmitting an alert to an alert gateway, transmit the alert to a set of alert gateways, wherein each of the alert gateways is located at a subscriber location and is associated with a member of the *selected* set of distribution addresses” (emphasis added).

The “*selected* set of distribution addresses” was intended to refer to the set of distribution addresses “*determined*” in the previous portion of the claim. The word “selected” has now been amended to instead state “determined,” thereby clarifying claim 97. It is respectfully submitted that this amendment merely corrects an informality, does not introduce any new matter, and does not alter the scope of claim 97.

Dependent claims 54, 55 and 64 have been amended to correct antecedent basis problems caused by the amendments made to independent claim 47.

Claim 97

Applicants again note with appreciation that independent claim 97 has been allowed. Applicants respectfully submit that the corrective amendment to claim 97 does not alter the scope of claim 97. Therefore, Applicant respectfully submits that claim 97 remains in condition for allowance.

Claims 1 - 52, 54 - 89 and 91 - 96

Independent claims 1, 47 and 83 haven been amended to include limitations of claim 97 which the Office Action stated where not taught or suggested by the prior art of record. Therefore, Applicants respectfully submit that claims 1, 47 and 83 are allowable for at least the same reasons as claim 97.


Dependent claims 2-46, 48-52, 54-82, 84-89 and 91-96 each depend either directly or indirectly from independent claims 1, 47 or 83, and are therefore believed to be allowable at least by virtue of their dependence from allowable base claims.

CONCLUSION

For at least the foregoing reasons, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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